

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

COUNSEL-ONLY STATUS CONFERENCE

v.

Case No. 21-cr-0005-bhl

JOHN D WHELAN (1)
TINA MONTEZON (2)

HONORABLE BRETT H. LUDWIG presiding

Proceeding Held: 1/28/2022

Deputy Clerk: Melissa P.

Time Called: 9:15 a.m.

Time Concluded: 9:27 a.m.

Audio at Docket No.: 40

Appearances:

UNITED STATES OF AMERICA by:

Julie F Stewart and Kevin C Knight

JOHN D WHELAN by:

Ronald W Chapman, II

TINA MONTEZON by:

Jonathan C Smith

The parties updated the Court on the status of the case. Counsel for the government reported that the government has retained an additional expert and anticipates receiving his report by the end of February. Counsel for all parties agreed that two cases currently pending before the United States Supreme Court may impact the jury instructions and standards of proof in this case. *See Ruan v. United States*, No. 20-1410; *Kahn v. United States*, No. 21-5261. Given issues with the completion of the expert report and the pending Supreme Court cases, the parties requested that the Court reschedule the Final Pretrial and Trial dates.

A Final Pretrial will be held on July 7, 2022, at 9:00 a.m., by telephone. To appear, counsel must call the Court conference line at 1-866-434-5269 and enter access code 1737450# before the scheduled hearing time. A 9-day trial will commence on July 18, 2022 (to be held July 18-21 & July 25-29), at the U.S. Courthouse, 517 East Wisconsin Avenue, Milwaukee. The Court will issue a separate Amended Pretrial Order.

The Court made a finding under the Speedy Trial Act. The period of time from 1/28/2022 until 7/18/2022 is deemed excludable.